

REMARKS

In the Office Action mailed May 6, 2004, the Examiner rejected original Claims 1-14 and 17-23 and indicated that original claims 15, 16 and 24 have allowable subject matter.

Claims 1-8, 10, 12, 14-19, and 22-24 are pending in the application.

Applicant respectfully requests reconsideration of the pending claims in view of the foregoing amendments and the remarks hereinbelow.

Rejection of Claims under 35 U.S.C. 112:

Original claims 10 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 10 and 12 have been amended to obviate this rejection.

Rejection of Claims under 35 U.S.C. 103:

Original claims 1-6, 8-12, 14, and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Schreiber.

Original claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber in view of Ueda et al.

Original claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue in view of Schreiber.

Claim 1 (independent claim):

Schreiber discloses, in connection with gravure color-printing carried out on web-fed rotary presses, a TV tube 42 for displaying a scanned image obtained via a three-color scanner 24, and fluorescent lamps 43 arranged in a square pattern a few inches in front of the tube. The fluorescent lamps form an illuminated surround for the TV tube. Diffusing material 44 is placed in front of the lamps to provide diffused light. This appears to be done to keep the surround near peak white as a means of reducing the influence of extraneous nearby stimuli. Opaque material 46 is placed so as to shield the TV tube from the diffused light. This is done so that no diffused light falls on the TV tube.

Claim 1 as amended calls for a camera including "a white-compensator propagating non-diffused neutral light at a preset color temperature independent of a color temperature of said electronic image to counteract ambient illumination

when viewing said electronic image, said white-compensator positioned relative to said image display so that an overlap of said non-shielded display light and said non-diffused neutral light occurs" (see 103 and 105 in FIG. 9 of the application). This clearly is lacking in Schreiber. Schreiber does not suggest an overlap of non-shielded display light from an image display and non-diffused neutral light from a white-compensator. Moreover, since Schreiber is directed to gravure color-printing carried out on web-fed rotary presses, including a TV tube 42 for displaying a scanned image obtained via a three-color scanner 24, one skilled in the camera art would not look to such printing art for camera features as the Examiner has done. It is recognized that Schreiber is discussed in the Applicant's "BACKGROUND OF THE INVENTION", but this is not an indication that Schreiber is analogous prior art.

Claim 2 (depends from claim 1):

Claim 2 as amended recites that "said preset color temperature is preset to provide an approximation of daylight". Schreiber does not state that the color temperature of the diffused light propagated by the fluorescent lamps 43 provides an approximation of daylight; nor can it be inferred from Schreiber particularly since the lamps are covered with the diffusing material 44.

Claim 3 (depends from claim 1):

Claim 3 as amended recites that "said white-compensator is at least as bright as said image display so that said electronic image does not wash out illumination provided by said white-compensator". This is not inherent in Schreiber as the Examiner states since the TV tube 42 is shielded with the opaque material 46 so that no diffused light falls on the TV tube.

Claim 4 (depends from claim 1):

The Examiner in connection with original claim 4 refers to the "image display" as the opaque material 46, but in connection with original claim 1 refers to the image display as the TV tube 42. It is assumed that the Examiner meant the image display to be the TV tube 42, not the opaque material 46.

Claim 4 as amended recites that "said image display defines a light image viewing zone extending outward from said body to have said overlap of said non-shielded display light from said image display and said non-diffused neutral light from said white-compensator". This is lacking in Schreiber. Schreiber does not

suggest a light viewing zone having an overlap of non-shielded display light from an image display and non-diffused neutral light from a white-compensator.

Claim 5 (depends from claim 1):

Claim 5 as amended recites that "said image display is inset sufficiently relative to said white-compensator to reduce flare on said image display. Even though the fluorescent lamps 43 are a few inches in front of the TV tube 42 in Schreiber, it cannot be inferred that this is sufficient to reduce flare on the TV tube as the Examiner appears to have done – particularly since the TV tube is shielded with the opaque material 46 and the diffusing material 44 is placed in front of the fluorescent lamps.

Claim 6 (depends from claim 1):

Claim 6 as amended recites that "said image display and said white-compensator are combined to each be portions of the same combined display and include a backlight providing a white light output". This does not appear to be suggested singly or in combination in the cited references.

Claim 7 (depends from claim 6):

Claim 7 as amended calls for "a neutral density filter disposed between said backlight and said image display, but not between said backlight and said white-compensator, so that said white-compensator is brighter than said image display in said same combined display. This does not appear to be suggested singly or in combination in the cited references.

Claim 8 (depends from claim 6):

Claim 8 as amended recites that "said same combined display is a single emissive pixilated display". This does not appear to be suggested singly or in combination in the cited references.

Claim 10 (depends from claim 1):

Claim 10 as amended recites that "said image display and said white compensator are a combined display component that is a single emissive pixilated display". This does not appear to be suggested singly or in combination in the cited references.

Claim 12 (depends from claim 1):

Claim 12 as amended adds "further comprising an archival capture unit and an optical system directing a light image to said electronic imager and to said archival capture unit and wherein said archival capture unit has capture media

having a designated illuminant and said camera includes a processor color balancing said electronic image to calibrate said image display for said capture media, but not white-balancing said electronic image". This does not appear to be suggested singly or in combination in the cited references.

Claim 14 (independent claim):

Schreiber discloses, in connection with gravure color-printing carried out on web-fed rotary presses, a TV tube 42 for displaying a scanned image obtained via a three-color scanner 24, and separate fluorescent lamps 43 arranged in a square pattern a few inches in front of the tube. Schreiber does not suggest a single, non-shielded-light-emitting, panel as called for in amended claim 14. Moreover, since Schreiber is directed to gravure color-printing carried out on web-fed rotary presses, including a TV tube 42 for displaying a scanned image obtained via a three-color scanner 24, one skilled in the camera art would not look to such printing art for camera features as the Examiner has done. It is recognized that Schreiber is discussed in the Applicant's "BACKGROUND OF THE INVENTION", but this is not an indication that Schreiber is analogous prior art.

Claim 17 (depends from claim 14):

Claim 17 as amended recites that "said border circumscribes said center and is at least as bright as said center so that said colored image from said center does not wash out said neutral light from said border". This is not inherent in Schreiber as the Examiner states since the TV tube 42 is shielded with the opaque material 46 so that no diffused light falls on the TV tube.

Claim 18 (depends from claim 14):

Claim 18 as amended recites that "said neutral light transmitted by said border of said panel is non-diffused". This is different than Schreiber. In Schreiber, the diffusing material 44 is placed in front of the fluorescent lamps 43 so that the lamps propagate diffused light.

Claim 19 (independent claim):

Claim 19 as amended calls for " [in a camera] counteracting said ambient lighting, when propagating said display image, with non-diffused white illumination in said ambient lighting, said counteracting step including providing an overlap of said non-shielded display light and said non-diffused white illumination" (see 103 and 105 in FIG. 9 of the application). This clearly is lacking in Schreiber. Schreiber does not suggest an overlap of non-shielded

display light and non-diffused white illumination. Moreover, since Schreiber is directed to gravure color-printing carried out on web-fed rotary presses, including a TV tube 42 for displaying a scanned image obtained via a three-color scanner 24, one skilled in the camera art would not look to such printing art for camera features as the Examiner has done. It is recognized that Schreiber is discussed in the Applicant's "BACKGROUND OF THE INVENTION", but this is not an indication that Schreiber is analogous prior art.

Claim 22 (depending from claim 19):

Original claim 22 recites that "said film has a photofinishing color correction and said method further comprises reducing said color cast in said display image proportional to said color correction". The Examiner states that in Inoue the camera includes a luminance signal processing circuit 112 and a chrominance signal processing circuit 213 that provide a color balance on the displayed image so that the electronic image is proportionally representative of the captured film image. However, we could not find any description in Inoue to that actually supports this conclusion. See col. 25. Our reading of Inoue appears to indicate there is no explicit teaching of reducing the color cast in the display image proportional to the photofinishing color correction of the film.

Claim 23 (depending from claim 19):

Claim 23 as amended recites that "said non-diffused white illumination is at least as bright as said non-shielded display light. This is not inherent in Schreiber as the Examiner states since the TV tube 42 is shielded with the opaque material 46 so that no diffused light falls on the TV tube.

Allowable Subject Matter:

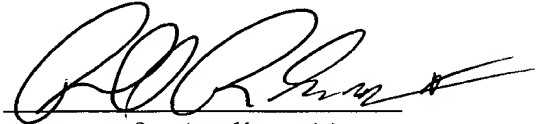
Claims 15, 16 and 24 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15 and 24:

Claims 15 and 24 are amended to include subject matter that the Examiner indicated is allowable.

It is respectfully submitted, therefore, that in view of the above amendments and remarks, that this application is now in condition for allowance, prompt notice of which is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RR Schindler II', written over a horizontal line.

Attorney for Applicant(s)
Registration No. 40,802

Roland R. Schindler II/jrk
Rochester, NY 14650
Telephone: 585-588-2736
Facsimile: 585-477-1148

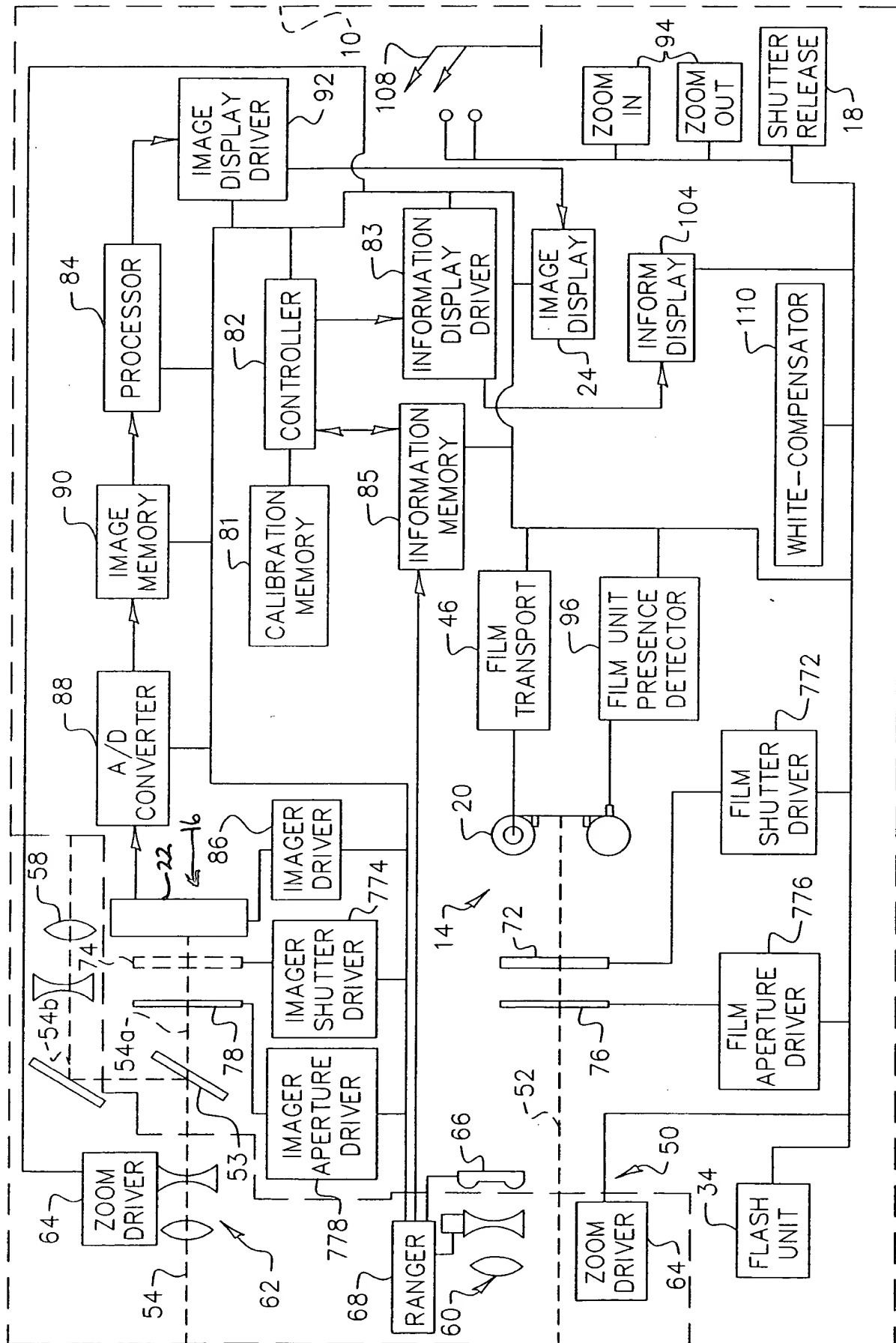


FIG. 13